

**UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD**

**BRIDGESTONE AMERICAS TIRE
OPERATIONS, LLC**

and

Case 10-CA-230142

**UNITED STEEL, PAPER AND FORESTRY,
RUBBER, MANUFACTURING, ENERGY,
ALLIED INDUSTRIAL AND SERVICE
WORKERS INTERNATIONAL, AFL-CIO, CLC
AND ITS LOCAL 1055L**

DECISION AND ORDER

Statement of the Case

On July 31, 2020, the Respondent and the General Counsel of the National Labor Relations Board entered into a Formal Settlement Stipulation, subject to the Board's approval, providing for the entry of a consent order by the Board and a consent judgment by any appropriate United States Court of Appeals.¹ The Respondent waived all further and other proceedings before the Board to which it may be entitled under the National Labor Relations Act and the Board's Rules and Regulations, and the Respondent waived its right to contest the entry of a consent judgment or to receive further notice of the application therefor.

The National Labor Relations Board has delegated its authority in this proceeding to a three-member panel.

The Formal Settlement Stipulation is approved and made a part of the record, and the proceeding is transferred to and continued before the Board in Washington, D.C., for the entry of a Decision and Order pursuant to the provisions of the Formal Settlement Stipulation.

Based on the Formal Settlement Stipulation and the entire record, the Board makes the following

¹ The Charging Party declined to enter into the Formal Settlement Stipulation and it filed an objection to the Stipulation with the Acting Regional Director. The Acting Regional Director and the General Counsel recommend approval of the Stipulation on the grounds that it fully remedies all of the allegations of the complaint, as amended, and provides for the entry of Board and court orders. We have concluded that it would effectuate the purposes and policies of the Act to approve the settlement agreement.

Findings of Fact

1. The Employer's business

(a) The Respondent is a limited liability company with an office and place of business in La Vergne, Tennessee, and is engaged in the manufacture of vehicle tires.

(b) In conducting its business operations described above in subparagraph (a), the Respondent annually purchases and receives at its La Vergne, Tennessee facility goods and services valued in excess of \$50,000 directly from points outside the State of Tennessee.

(c) At all material times, the Respondent has been an employer engaged in commerce within the meaning of Section 2(2), (6), and (7) of the Act.

2. The labor organization involved

At all material times, the United Steel, Paper and Forestry, Rubber, Manufacturing, Energy, Allied Industrial and Service Workers International, AFL-CIO, CLC and its Local 1055L (the Union) has been a labor organization within the meaning of Section 2(5) of the Act.

3. The following employees of the Respondent (the Unit) constitute a unit appropriate for the purposes of collective-bargaining within the meaning of Section 9(b) of the Act:

All maintenance employees and boiler operators, but excluding office clerical employees, professional employees, guards and supervisors as defined in the National Labor Relations Act.

4. At all material times, the Respondent has recognized the Union as the exclusive collective-bargaining representative of the Unit. This recognition has been embodied in successive collective-bargaining agreements, the most recent of which is effective from August 17, 2017 through July 29, 2022.

5. At all material times, based on Section 9(a) of the Act, the Union has been the exclusive collective-bargaining representative of the Unit.

ORDER

Based on the above findings of fact, the Formal Settlement Stipulation, and the entire record, and pursuant to Section 10(c) of the National Labor Relations Act, the National Labor Relations Board orders that:

The Respondent, Bridgestone Americas Tire Operations, LLC, La Vergne, Tennessee, its officers, agents, successors, and assigns, shall:

1. Cease and desist from:

(a) Refusing to bargain collectively and in good faith with the Union by refusing to furnish to the Union information that is relevant and necessary to the performance of the Union's duties as the exclusive collective-bargaining representative of the Unit.

(b) In any like or related manner interfering with, restraining, or coercing employees in the exercise of the rights guaranteed by Section 7 of the Act.

2. Take the following affirmative action necessary to effectuate the policies of the Act:

(a) Within 14 days of the Board's Order, provide the 2017 canvass sheets to the Union and either provide the Union with the 2017 and 2018 scan times or, if unduly burdensome to provide, explain to the Union why the Respondent believes that producing the information is burdensome and meet with the Union to reach an accommodation that will provide the Union with the information it needs in a manner that is not unduly burdensome for the Respondent.

(b) Within 14 days of service by the Region, post at its La Vergne, Tennessee facility copies of the Notice to Employees attached as Appendix 1.² Copies of the notice, on forms provided by the Regional Director for Region 10, after being signed by the Respondent's authorized representative shall be posted by the Respondent and maintained for 60 consecutive days in conspicuous places, including all places where notices to employees are customarily posted.

(c) In the event that, during the pendency of these proceedings, the Respondent has closed its La Vergne, Tennessee facility the Respondent shall duplicate and mail, at its own expense, a copy of the Notice to all current employees and former employees employed by the Respondent at the closed facility at any time since April 30, 2018.

(d) Within 21 days after service by the Region, file with the Regional Director for Region 10 a sworn certification of a responsible official on a form provided by the Region attesting to the steps the Respondent has taken to comply. The certification shall include a copy of the documents signed by a responsible official attesting to the dates that the notices were posted, where the notices were posted, and a digital photograph of each posted notice with metadata, including date taken and GPS coordinates.

² When this Order is enforced by a judgment of a United States Court of Appeals, the words in the notice reading "Posted by Order of the National Labor Relations Board" shall read "Posted Pursuant to a Judgment of the United States Court of Appeals Enforcing an Order of the National Labor Relations Board."

Dated, Washington, D.C., October 7, 2020.

Marvin E. Kaplan	Member
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William J. Emanuel	Member
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Lauren McFerran	Member
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(SEAL)

NATIONAL LABOR RELATIONS BOARD

APPENDIX 1

**NOTICE TO EMPLOYEES
POSTED BY ORDER OF THE
NATIONAL LABOR RELATIONS BOARD
An Agency of the United States Government**

**PURSUANT TO A STIPULATION PROVIDING FOR A BOARD ORDER
AND A CONSENT JUDGMENT OF ANY APPROPRIATE
UNITED STATES COURT OF APPEALS**

FEDERAL LAW GIVES YOU THE RIGHT TO:

Form, join, or assist a union;
Choose a representative to bargain with us on your behalf;
Act together with other employees for your benefit and protection;
Choose not to engage in any of these protected activities.

WE WILL NOT interfere with, restrain, or coerce you in the exercise of the above rights.

WE WILL NOT, upon request, refuse to provide information the United Steel, Paper and Forestry, Rubber, Manufacturing, Energy, Allied Industrial and Service Workers International, AFL-CIO, CLC and its Local 1055L needs to represent those of you in the following bargaining unit:

All maintenance employees and boiler operators, but excluding office clerical employees, professional employees, guards and supervisors as defined in the National Labor Relations Act.

WE WILL NOT in any like or related manner interfere with your rights under the National Labor Relations Act.

WE WILL provide the 2017 canvass sheets requested by the Union.

WE WILL provide the Union with the 2017 and 2018 scan times it requested or, if unduly burdensome to provide, explain to the Union why we believe that producing the information is burdensome and bargain with the Union to reach an accommodation that will provide the Union with the information it needs in a manner that is not unduly burdensome for us.

BRIDGESTONE AMERICAS TIRE OPERATIONS, LLC

The Board's decision can be found at www.nlrb.gov/case/10-CA-230142 or by using the QR code below. Alternatively, you can obtain a copy of the decision from the Executive Secretary, National Labor Relations Board, 1015 Half Street, S.E., Washington, D.C. 20570, or by calling (202) 273-1940.

